

REMARKS

Applicants have received an Office Action dated July 5, 2005 that indicates that the Response filed April 12, 2005 is not fully responsive. Applicants are filing this Response to replace the Response of April 12, 2005. Applicants hereby traverse the outstanding objection and rejections, and request reconsideration and withdrawal in light of the amendments and remarks contained herein. Claims 3 and 9 are indicated as having allowable material. Claims 1-15 are pending in this application.

Objection to the Drawings

The Examiner has objected to the drawings, specifically Figure 1. In response, Applicants submit a proposed drawing change to Figure 1, that labels the Figure as prior art, as suggested by the Examiner. As each identified instance of informality has been corrected with a corresponding proposed amendment, Applicants believe that the objection to the drawings has been overcome, and that this objection should be withdrawn.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 3 and 9 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, the words “the diagonals” in claims 3 and 9 are asserted by the Office Action as lacking antecedent basis. In response, Applicants have amended claims 3 and 9 to delete “the” before the word “diagonals”. The claims have been amended only for the purpose of complying with the requirements of 35 U.S.C. § 112, second paragraph, and not for the purpose of narrowing their scope in the face of prior art. No new matter has been entered. As each element of indefiniteness cited by the Office Action has been addressed with a corresponding amendment, Applicants respectfully request the rejection of claims 3 and 9 under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejection under 35 U.S.C. § 102

Claims 1-2 and 4-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Masubuchi ('768).

Applicants believe that claim 9 is listed as being rejected in error. Applicants note that claim 9 is not discussed in the rejection, and claim 9 is listed as an allowable claim.

It is well settled that to anticipate a claim, the reference must teach every element of the claim, see M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim,” see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim,” see M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Applicants respectfully assert that the rejection does not satisfy these requirements.

Claim 1 defines a button for engaging an electrical switch that comprises an alignment post that registers against the electrical switch and reduces lateral motion of the button. Masubuchi does not disclose at least this limitation. The element identified by the Examiner as corresponding to the claimed alignment post, namely pendent portion 8, does not register against the key switch 13; instead, the pendent portion 8 contacts the upper limit stopper 14 and the depressed key stopper 15. Moreover, the pendent portion 8 does not reduce lateral motion of the button; instead, the pendent portion limits the vertical movement of the key by contacting upper limit stopper 14 when the key is not depressed and contacting depressed key stopper 15 when the key is depressed, see column 4, lines 14-18. Thus, Masubuchi does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for at least the above reasons claim 1 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 8 defines a button set that comprises a plurality of buttons, each button of the plurality of buttons engages an associated electrical switch of a plurality of electrical switches, the button set comprises a plurality of alignment posts, each of which is associated with a respective button and registers against the associated electrical switch and reduces lateral motion of the respective button. The element identified by the Examiner as corresponding to one of the claimed alignment posts, namely pendent portion 8, does not register against the key switch 13; instead, the pendent portion 8 contacts the upper limit stopper 14 and the depressed key stopper 15. Moreover, the pendent portion 8 does not reduce lateral motion of the button; instead, the pendent portion limits the vertical movement

of the key by contacting upper limit stopper 14 when the key is not depressed and contacting depressed key stopper 15 when the key is depressed, see column 4, lines 14-18. Thus, Masubuchi does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for at least the above reasons claim 8 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 14 defines a button for engaging an electrical switch that comprises means for reducing lateral motion of the button. The element identified by the Examiner as corresponding to the claimed means, namely pendent portion 8, does not perform the claimed function. The pendent portion 8 does not reduce lateral motion of the button; instead, the pendent portion limits the vertical movement of the key by contacting upper limit stopper 14 when the key is not depressed and contacting depressed key stopper 15 when the key is depressed, see column 4, lines 14-18. Thus, Masubuchi does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for at least the above reasons claim 14 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 15 defines a button for engaging an electrical switch that comprises means for reducing wobble of the button. The Office Action does not disclose what portion of Masubuchi corresponds to this element. Applicant assumes that the Examiner has intended that pendent portion 8 corresponds to the claimed element. However, Applicant notes that this element does not perform the claimed function. The pendent portion 8 does not reduce wobble; instead, the pendent portion limits the vertical movement of the key by contacting upper limit stopper 14 when the key is not depressed and contacting depressed key stopper 15 when the key is depressed, see column 4, lines 14-18. Thus, Masubuchi does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for at least the above reasons claim 15 is patentable over the 35 U.S.C. § 102 rejection of record.

Claims 2, 4-7, and 10-13 depend from base claims 1 and 8 respectively, and thus inherit all limitations of their respective base claim. Each of claims 2, 4-7, and 10-13 sets forth features and limitations not recited by Masubuchi. Thus, the Applicants respectfully assert that for at least the above reasons claims 2, 4-7, and 10-13 are patentable over the 35 U.S.C. § 102 rejection of record.

Conclusion

The Examiner is thanked for the indication that claims 3 and 9 include allowable subject matter.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 200300331-1 from which the undersigned is authorized to draw.

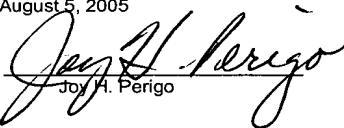
Dated: August 5, 2005

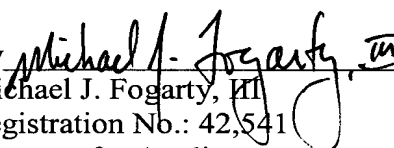
Respectfully submitted,

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482745769US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 5, 2005

Signature:


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Attachment

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to FIGURE 1.

Attachment: Replacement sheet